

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	CIVIL ACTION NO. 1:05-CV-0876
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
WENDY SHOEMAKER and PAUL E. SHOEMAKER,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 8th day of August, 2005, upon consideration of plaintiff's motion for "service by posting property and certified mail" (Doc. 3), and it appearing that plaintiff has made a "good faith effort" to discover the current address of defendant, Paul E. Shoemaker, justifying service by publication in this mortgage foreclosure action, see PA. R. CIV. P. 410(c), 430(a) (permitting service by publication in mortgage foreclosure action if plaintiff demonstrates "good faith effort" to discover defendant's current address); Grove v. Guilfoyle, 222 F.R.D. 255, 256-57 (E.D. Pa. 2004) (discussing requirement that plaintiff exhaust all "reasonable methods" to locate and serve defendant before requesting leave to effect service by publication), 2 STANDARD PENNSYLVANIA PRACTICE 2d §§ 10:123-10:129 (West 1998); see also FED. R. CIV. P. 4(e) (permitting service to be effected "pursuant to the law of the state in which the district court is located"), it is hereby ORDERED that the motion (Doc. 3) is GRANTED as follows:

1. Plaintiff shall be permitted to effect service of process on defendant, Paul E. Shoemaker, in the above-captioned case by:
 - a. delivering a copy of the summons and complaint to any person who is found in possession of the property at issue, see PA. R. Civ. P. 410(b)(1);
 - b. posting a copy of the summons and complaint on the most public part of the property at issue, see id. 410(c)(2);
 - c. mailing a copy of the summons and complaint by certified mail to the last known address of defendant, Paul E. Shoemaker, see id. 410(c)(3); and
 - d. advertising a notice of the above-captioned case, in substantially the form prescribed by Pennsylvania Rule of Civil Procedure 430(b)(1), once in the legal publication designated by the Court of Common Pleas for Luzerne County, Pennsylvania, for the publication of legal notices and in one newspaper of general circulation within Luzerne County, see id. 430(b)(1).
2. Plaintiff shall effect service of process on defendants on or before October 3, 2005. See FED. R. CIV. P. 4(m).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge